

City Council
Atlanta, Georgia

07-0 -2226
Z-07-108

AN ORDINANCE
BY: ZONING COMMITTEE

Date Filed: 10-10-07

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **2999 and 3005 Lookout Place, N.E.**, be changed from the RG-3 (Residential General-Sector 3) District to the R-LC (Residential-Limited Commercial) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 60, 17th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffix "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE CITY OF ATLANTA IN LAND LOT 60 OF THE 17TH DISTRICT OF FULTON COUNTY, GEORGIA, AND BEING SHOWN ON THE PLAT OF THE SURVEY MADE BY BRACEWELL AND ALDERMAN, REGISTERED ENGINEERS, DATED JULY 13, 1954 ON FILE IN THE OFFICE OF ALEX MCLENNAN, ATTORNEY, ATLANTA, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT MARKED BY AN IRON PIN ON THE EAST SIDE OF LOOKOUT PLACE, ONE HUNDRED (100) FEET SOUTH FROM THE SOUTHEAST CORNER OF THE INTERSECTION OF LOOKOUT PLACE AND PHARR ROAD; AND RUNNING THENCE EAST ONE HUNDRED FIFTY FIVE AND ONE TENTH (155.1) FEET TO THE IRON PIN A POINT OF WHICH IS TEN (10) FEET WEST OF A BRANCH; AND RUNNING THENCE IN A SOUTHERLY DIRECTION FORTY NINE AND NINE TENTHS (49.9) FEET TO A POINT MARKED BY AN IRON PIN, WHICH POINT IS SEVENTEEN (17) FEET WEST FROM THE CENTER OF SAID BRANCH; AND BUNNING THENCE WEST ONE HUNDRED FIFTY FOUR AND FOUR TENTHS (154.4) FEET TO AN IRON PIN ON THE EAST SIDE OF LOOKOUT PLACE; AND RUNNING THENCE NORTH ALONG THE EAST SIDE OF LOOKOUT PLACE FIFTY (50) FEET TO THE IRON PIN AT THE POINT OF BEGINNING; AND BEING A PART OF THE SAME PROPERTY CONVEYED TO THE HARRISON CONSTRUCTION COMPANY BY WARRANTY DEED FROM MRS. MARAGARET JEAN AMAUD DATED AUGUST 6, 1954, AND RECORDED IN DEED BOOK 2910, PAGE 471, FULTON COUNTY RECRODS; AND SAID PROEPRTY IS IMPROVED PROPERTY KNOWN AS NO. 2999 AND 3001 LOOKOUT PLACE, N.E. ATLANTA, GEORGIA.

SUBJECT TO THAT SECURITY DEED FROM PHILIP C. HENRY TO OPTEUM FINANCIAL SERVICES IN THE ORIGINAL PRINCIPAL AMOUNT OF \$300,000 DATED MARCH 9, 2007.

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ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 60, 17TH DISTRICT, FULTON COUNTY, GEORGIA, BEING PART OF LOTS 1 AND 2 AND PART OF AN UNNUMBERED LOT, PEACHTREE VIEW SUBDIVISION, THIRD EDITION, AS PER PLAT RECORDED IN PLAT BOOK 11, PAGE 7, FULTON COUNTY RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN FOUND ON THE EASTERLY SIDE OF LOOKOUT PLACE (50 FOOT RIGHT OF WAY) 40.0 FEET SOUTHERLY, AS MEASURED ALONG THE EASTERLY SIDE OF LOOKOUT PLACE, FROM THE CORNER FORMED BY THE INTERSECTION OF THE EASTERLY SIDE OF LOOKOUT PLACE WITH THE SOUTHERLY SIDE OF PHARR ROAD; RUN THENCE SOUTHERLY ALONG THE EASTERLY SIDE OF LOOKOUT PLACE, A DISTANCE OF 50.0 FEET TO AN IRON PIN; RUN THENCE EASTERLY ALONG A LINE WHICH FORMS AN INTERIOR ANGLE OF 90 DEGREES WITH THE LAST PRECEDING COURSE, A DISTANCE OF 164.0 FEET TO AN "X" ON A ROCK IN THE CENTER OF A BRANCH; RUN THENCE NORTHWESTERLY ALONG THE CENTERLINE OF SAID BRANCH, FOLLOWING THE MEANDERINGS THEREOF, A DISTANCE OF 55.0 FEET, MORE OR LESS, TO AN IRON PIN; RUN THENCE WESTERLY, A DISTANCE OF 140.0 FEET TO AN IRON PIN ON THE EASTERLY SIDE OF LOOKOUT PLACE AND THE POINT OF BEGINNING

BEING IMPROVED PROPERTY HAVING A HOUSE LOCATED THEREON KNOWN AS 3005 LOOKOUT PLACE ACCORDING TO THE PRESENT SYSTEM OF NUMBERING HOUSES IN THE CITY OF ATLANTA, FULTON COUNTY, GEORGIA; AS MORE PARTICULARLY DESCRIBED ON SURVEY PREPARED BY ESTON PENDLEY & ASSOC., INC., DATED January 27, 1993

Legal
Description

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